IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 2ND AUGUST 2007 / 11TH SRAVANA 1929

WP(C).No. 16770 of 2007(U)

OS.288/2007 of ADDL.MUNSIFF COURT,KOCHI

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PETITIONER:

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1. K.E.GEORGE, S/O.ESSY, AGED 33,
KANDATHIPARAMBIL, KUMBALANGI,
KOCHI-7.

2. K.E.SEVY, S/O.ESSY, AGED 30,
KANDATHIPARAMBIL, KUMBALANGI, KOCHI-7.

BY ADV. SRI.K.C.CHARLES
SRI.K.SANEESH KUMAR

RESPONDENTS:

M.K.REGHU. S/O.NALLAKKAN, AGED 67,
MANAKKAPADATH HOUSE, CHOTTANIKKARA,
KANAYANNUR TALUK, ERNAKULAM.

BY ADV. SRI.ABRAHAM P.GEORGE
SRI.PRAKASH KESAVAN
SRI.T.PRAVEEN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 16770 of 2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1- TRUE COPY OF I.A.416/2007 IN CMA.9/2007 ON THE FILE OF THE SUB COURT, KOCHI

EXT.P2- TRUE COPY OF THE ORDER IN I.A.40/2007 IN O.S.288/2007 ON THE MUNSIFF'S COURT, KOCHI.

(TRUE COPY)

P.A TO JUDGE

M.N.KRISNAN, J.

W.P.(C).16770/2007

Dated this 2nd day of August, 2007

JUDGMENT

This writ petition is filed seeking a direction to the Subordinate Judge, Kochi, to dispose of the stay application filed in C.M.A. 9/2007. The order in appeal is one directing the detention of the first respondent in Civil Prison for disobedience of the order of the Court for a period of one year. This is a serious matter which requires detailed consideration at the hands of the Court. Therefore, I feel instead of directing the stay application be disposed of, the learned Sub Judge can be directed to dispose of C.M.A itself within a period of two months from the date of receipt of a copy of this judgment and till then the execution of the order, which is impugned in the C.M.A, shall be kept in abeyance.

2. One of the parties can take a copy of this judgment and produce it before the Subordinate Judge, Kochi, for necessary compliance.

The Writ Petition is disposed of accordingly.

M.N.KRISHNAN,
JUDGE

mrcs